

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2005 Legislative Session

Legislative Day # 5

BILL NO. 2005- 08

Introduced by: Charles County Commissioners

AN ACT concerning

SITE DESIGN AND ARCHITECTURAL REVIEW BOARD

Date introduced: March 21, 2005

Public Hearing April 25, 2005

Commissioners Action: May 2, 2005

Commissioner Votes: WC: __, RJF: __, ARS: __, EJP __, CQK __

Pass/Fail: _____

Effective Date: _____

Remarks: _____

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2005 Legislative Session

Bill No. _____

Chapter. No. 297

Introduced by Planning Department and the Site Design and Architectural Review Board

Date of Introduction _____

BILL

1 AN ACT concerning

2 **SITE DESIGN AND ARCHITECTURAL REVIEW BOARD (SDARB)**

3
4 FOR the purpose of

5
6 Amending the Zoning Ordinance Regulations by authorizing the SDARB to
7 implement Commercial and Industrial Guidelines and Standards.

8
9 BY repealing and reenacting, with amendments:

10
11 Chapter 297 - Zoning Regulations

12 Article XVIII, §298 - General site design standards

13 *Code of Charles County, Maryland*

14 (May, 2004 Edition)

15
16
17
18
19 BY adding to:

Chapter 297 - Zoning Regulations

Article VI, §89 - Village zones.

Code of Charles County, Maryland

(May, 2004 Edition)

Chapter 297 - Zoning Regulations

Article VI, §91 - Commercial zones.

Code of Charles County, Maryland

(May, 2004 Edition)

Chapter 297 - Zoning Regulations

Article VI, §92 - Industrial zones.

Code of Charles County, Maryland

(May, 2004 Edition)

Chapter 297 - Zoning Regulations

Article VII, §108 - Planned Employment and Industrial Park (PEP) Zone.

Code of Charles County, Maryland

(May, 2004 Edition)

Chapter 297 - Zoning Regulations

Article VII, §110 - Design guidelines and requirements.

Code of Charles County, Maryland

(May, 2000 Edition)

SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF

1 CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as
2 follows:

3
4
5 **Chapter 297**
6 **Zoning Regulations**
7

8 **§ 297-89. Village zones.**
9

10 **D. THE SITE DESIGN AND ARCHITECTURAL REVIEW BOARD (SDARB)**
11 **APPROVAL OF SITE PLANS AND BUILDINGS FOR ALL**
12 **COMMERCIAL CONSTRUCTION IN THE CV ZONE MUST BE**
13 **OBTAINED. ALL NEW CONSTRUCTION, RENOVATION AND**
14 **EXPANSION PROJECTS SHALL COMPLY WITH ALL APPLICABLE**
15 **SECTIONS OF THE COMMERCIAL AND INDUSTRIAL GUIDELINES**
16 **AND STANDARDS. PROJECTS THAT DO NOT ADD MORE THAN**
17 **2,000 SF OF GROSS FLOOR AREA OR ALTER MORE THAN 25% OF**
18 **THE BUILDING FACADE OR SITE AREA ARE EXEMPT. THE**
19 **GUIDELINES AND STANDARDS SHALL CONFORM TO**
20 **APPROPRIATE PLANNING PRINCIPLES AND TO THE PURPOSES**
21 **STATED FOR THE CV ZONE.**
22

23 **§ 297-91. Commercial zones.**
24

25 **D. THE SITE DESIGN AND ARCHITECTURAL REVIEW BOARD (SDARB)**
26 **APPROVAL OF SITE PLANS AND BUILDINGS FOR ALL**
27 **COMMERCIAL CONSTRUCTION IN THE CN, CC, CB AND BP ZONES**
28 **MUST BE OBTAINED. ALL NEW CONSTRUCTION, RENOVATION**
29 **AND EXPANSION PROJECTS SHALL COMPLY WITH ALL**

1 **APPLICABLE SECTIONS OF THE COMMERCIAL AND INDUSTRIAL**
2 **GUIDELINES AND STANDARDS. PROJECTS THAT DO NOT ADD**
3 **MORE THAN 2,000 SF OF GROSS FLOOR AREA OR ALTER MORE**
4 **THAN 25% OF THE BUILDING FACADE OR SITE AREA ARE**
5 **EXEMPT. THE GUIDELINES AND STANDARDS SHALL CONFORM**
6 **TO APPROPRIATE PLANNING PRINCIPLES AND TO THE PURPOSES**
7 **STATED FOR THE SPECIFIC ZONE.**

8
9 **§ 297-92. Industrial zones.**

10
11 **E. THE SITE DESIGN AND ARCHITECTURAL REVIEW BOARD (SDARB)**
12 **APPROVAL OF SITE PLANS AND BUILDINGS FOR ALL**
13 **COMMERCIAL CONSTRUCTION IN THE IG AND IH ZONES MUST**
14 **BE OBTAINED. ALL NEW CONSTRUCTION, RENOVATION AND**
15 **EXPANSION PROJECTS SHALL COMPLY WITH ALL APPLICABLE**
16 **SECTIONS OF THE COMMERCIAL AND INDUSTRIAL GUIDELINES**
17 **AND STANDARDS. PROJECTS THAT DO NOT ADD MORE THAN**
18 **2,000 SF OF GROSS FLOOR AREA OR ALTER MORE THAN 25% OF**
19 **THE BUILDING FACADE OR SITE AREA ARE EXEMPT. THE**
20 **GUIDELINES AND STANDARDS SHALL CONFORM TO**
21 **APPROPRIATE PLANNING PRINCIPLES AND TO THE PURPOSES**
22 **STATED FOR THE SPECIFIC ZONE.**

23
24
25
26
27
28
29 **§ 297-108. Planned Employment and Industrial Park (PEP) Zone.**

1 **E. A DESIGN CODE WHICH CONFORMS TO THE SITE DESIGN AND**
2 **ARCHITECTURAL (SDA) GUIDELINES SHALL BE SUBMITTED WITH**
3 **ANY PRELIMINARY PLAT OR SITE PLAN AS SET FORTH IN § 297-**
4 **110.**

5
6 **§ 297-110. Design guidelines and requirements.**

7
8 A. The Charles County Architectural and site Design review Board (Review Board)
9 is authorized to develop and recommend for approval by the Commissioners the
10 site design and architectural (SDA) guidelines to guide the implementation of this
11 article and the approval of development in the PRD, MX, PUD, TOD, **PEP**, and
12 WPC zones. The SDA guidelines shall conform to appropriate planning
13 principles and to the purposed stated for the specific zone.

14
15 B. The SDA guidelines direct design decisions for development in the PRD, MX,
16 PUD, TOD, **PEP**, and WPC zones. An application for the approval of a general
17 development plan set forth in §297-104 or a preliminary plan for development
18 within and existing PRD, MX, PUD, TOD, **PEP**, and WPC zones shall include a
19 proposed design code to set standards for layout and design in the proposed
20 planned development that is in conformance with the SDA guidelines. An
21 applicant's design code shall be reviewed and approved under the procedures in
22 Subsection C below.

23
24 C. Design code.

25
26 (1) An application for a general development plan or a preliminary plan for
27 development within an existing PRD, MX, PUD, TOD, **PEP**, or WPC zone
28 shall be accompanied by a design code, prepared by the applicant, to
29 supplement and modify the minimum standards required in conventional

1 subdivision. The design code shall conform to the SDA guidelines and shall
2 include the following: the overall planned development design concept;
3 standards for street, block and lot layouts; streetscape design standards;
4 building and lot design standards; landscape standards for public and
5 private spaces; and architectural design standards.

6
7 (2) The Review Board shall decide whether the design code proposed by the
8 applicant conforms to the SDA guidelines.

9
10 (3) Once a completed application is filed, the Planning Director shall convene a
11 meeting of the Review Board. At the meeting, the applicant shall present the
12 development proposal, including the proposed design code. After the initial
13 meeting, the applicant shall submit a revised proposal to conform to
14 comments or suggestions from the Review Board. After submission of the
15 revised proposal, the Review Board shall reconvene to review the proposal,
16 after which it shall submit a final report to the Planning Commission. As
17 part of its report, the Review Board shall include the approved design code
18 for use by the Planning Commission in the review and approval of the
19 general development plan or preliminary plan, as applicable.

20
21 (4) In approving a design code, the Review Board shall be guided by the SDA
22 guidelines, the purposes of the planned development zone, the orderly
23 development of the existing PRD, MX, PUD, TOD, **PEP**, and WPC zones and
24 the other provisions of this article.

25
26
27
28 **§297-298. General site design standards.**
29

1 A. The applicant shall submit a site analysis of the characteristics of the development
2 site, such as site context, geology and soil, topography, climate, natural features,
3 visual features, past and present use of the site, historic features, existing
4 vegetation, structures and road networks.

5
6 **B. THE CHARLES COUNTY SITE DESIGN AND ARCHITECTURAL**
7 **REVIEW BOARD (SDARB) IS AUTHORIZED TO DEVELOP AND**
8 **RECOMMEND FOR APPROVAL BY THE COMMISSIONERS SINGLE**
9 **FAMILY DWELLING AND COMMERCIAL AND INDUSTRIAL**
10 **GUIDELINES AND STANDARDS TO GUIDE:**

11
12 **(1) THE APPROVAL OF PRELIMINARY PLANS AND**
13 **ARCHITECTURAL ELEVATIONS FOR ALL SINGLE FAMILY**
14 **SUBDIVISIONS IN THE RL, RM, RH, RO, RR, PRD, MX, PUD, WPC,**
15 **TOD, PEP AND PMH ZONES THAT ARE GREATER THAN 10 LOTS**
16 **AND WITHIN SEWER SERVICE AREAS S-1, S-3, S-5.**

17
18 **(2) THE APPROVAL OF SITE PLANS AND BUILDINGS FOR ALL**
19 **COMMERCIAL CONSTRUCTION IN THE CV, CN, CC, CB, BP, IG,**
20 **AND IH ZONES. ALL NEW CONSTRUCTION, RENOVATION AND**
21 **EXPANSION PROJECTS SHALL COMPLY WITH ALL**
22 **APPLICABLE SECTIONS OF THE COMMERCIAL AND**
23 **INDUSTRIAL GUIDELINES AND STANDARDS. PROJECTS**
24 **THAT DO NOT ADD MORE THAN 2,000 SF OF GROSS FLOOR**
25 **AREA OR ALTER MORE THAN 25% OF THE BUILDING FACADE**
26 **OR SITE AREA ARE EXEMPT. THE GUIDELINES AND**
27 **STANDARDS SHALL CONFORM TO APPROPRIATE PLANNING**
28 **PRINCIPLES AND TO THE PURPOSES STATED FOR THE**
29 **SPECIFIC ZONE.**

1 C. [B.] Subdivision and site design

2
3 (1) Design of the development shall take into consideration all existing local and
4 regional plans for the surrounding community.

5
6 (2) Development of the site shall be based on the site analysis. To the maximum
7 extent practicable, development shall be located to preserve the natural
8 features of the site, to avoid areas of environmental sensitivity and to
9 minimize negative impacts and alteration of natural features.

10
11 (3) The following specific areas include but are not limited to areas that shall be
12 preserved as undeveloped open space, to the extent consistent with the
13 reasonable use of land and in accordance with applicable state or local
14 regulations:

15
16 (a) Unique and/or fragile areas, including tidal and nontidal wetlands, as
17 defined in Section 404 of the Federal Water Pollution Control Act
18 Amendments of 1972 and as delineated on wetlands maps prepared by the
19 United States Fish and Wildlife Service, field verified by on-site
20 inspection.

21
22 (b) Significant trees or stands or trees, defined as the largest known individual
23 trees of each species in the state, large trees approaching the diameter of
24 the known largest tree or species of clumps of trees that are rare to the area
25 or of particular horticultural or landscape value.

26
27 (c) Lands in the floodplain.

28
29 (d) Steep slopes in excess of 25% as measured over a ten-foot interval, unless

1 appropriate engineering measures concerning slope stability, erosion and
2 safety are taken.

3
4 (e) Habitats of endangered wildlife, as identified on federal or state lists.

5 Particular attention shall be given to fish spawning areas, rare, threatened
6 or endangered species habitat and other ecologically significant features.

7
8 (f) Historically significant structures and sites, as listed on federal, state
9 county lists of historic places.

10
11 (4) The development shall be designed to mitigate adverse effects of shadow,
12 noise, odor, traffic, drainage and utilities on neighboring properties.

13
14 **D. [C.]** Residential development design. When a site plan is required for a residential
15 use, the site design shall meet the following requirements:

16
17 (1) Every lot shall have sufficient access to it for emergency vehicles, as well as
18 for those needing access to the property in its intended use.

19
20 (2) The placement of units in residential developments shall take into
21 consideration topography, privacy, building height, orientation, drainage and
22 aesthetics.

23
24 (3) Buildings shall be spaced so that adequate privacy is provided for units.

25
26 (4) Residential structures shall be located and sited to facilitate pedestrian and
27 visual access to common open space whenever possible.

28
29 (5) Open space intended for a recreation or public use shall be easily accessible to

1 pedestrians.

2
3 (6) Diversity and originality in layout and individual building design shall be
4 encouraged to achieve the best possible relationships between development
5 and the land.

6
7 (7) Individual lots, buildings and units shall be arranged and situated to relate to
8 surrounding properties, to improve the view from the view of buildings and to
9 lessen area devoted to motor vehicle access.

10
11 (8) Individual lots, buildings, units and parking areas shall be situated to avoid
12 the adverse effects of shadows, noise and traffic on the residents of the site.

13
14 (9) Solar access and conservation of energy shall be encouraged.

15
16
17
18
19
20
21
22
23
24
25
26
27 **SECTION 2.** BE IT FURTHER ENACTED, that this Act shall take effect thirty
28 (30) calendar days after it becomes law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

Wayne Cooper, President

Robert J. Fuller

Candice Quinn Kelly

Edith J.Patterson

Allan R. Smith

Linda Rollins, Clerk